

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

|                          |   |                                |
|--------------------------|---|--------------------------------|
| BROOKS TERRELL,          | ) |                                |
|                          | ) |                                |
| Petitioner               | ) |                                |
|                          | ) |                                |
| v.                       | ) | Case No. 1:11-cv-00197-WMA-HGD |
|                          | ) |                                |
| JOHN T. RATHMAN, Warden, | ) |                                |
|                          | ) |                                |
| Respondent               | ) |                                |

**MEMORANDUM OPINION**

On September 13, 2012, the magistrate judge's report and recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. After obtaining an extension of time, petitioner filed objections to the magistrate judge's report and recommendation on September 25, 2012.<sup>1</sup>

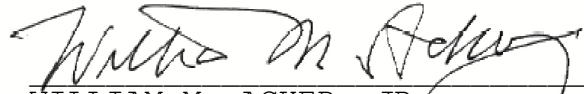
After careful consideration of the record in this case and the magistrate judge's report and recommendation and the petitioner's objections thereto, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge that the petition for writ of habeas corpus be denied and that petitioner's motion for summary judgment be denied.

---

<sup>1</sup> Petitioner has objected to the magistrate judge's report and recommendation only with respect to Incident Report #1734613.

A separate order in conformity with this Memorandum Opinion will be entered contemporaneously herewith.

DONE this 11th day of October, 2012.

  
WILLIAM M. ACKER, JR.  
UNITED STATES DISTRICT JUDGE